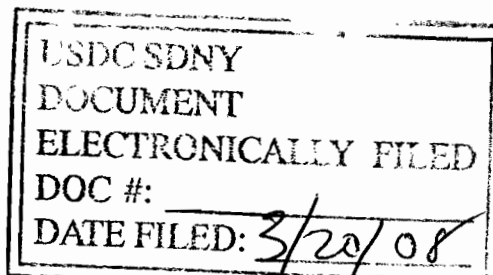


03-19-2008 11:29am From:PRYOR CASHMAN LLP

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T-261 P.002/004 F-075

ROSNER NOCERA & RAGONE, LLP  
 110 Wall Street - 23rd Floor  
 New York, New York 10005  
 Attorneys for Defendant  
 Wachovia Bank, National Association  
 Tel: (212) 635-2244  
 Fax: (212) 635-0533  
 UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK



EAST 29TH STREET LLC,

Case No. 08 CV 02081 (SAS)

Plaintiff,

-against-

### STIPULATION AND ORDER

WACHOVIA BANK, N.A.,

Defendant.

IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned counsel for the parties that:

(1) The time for defendant Wachovia Bank, N.A., to answer, move or otherwise respond to plaintiff East 29th Street LLC's Complaint, including without limitation any motion under Fed. R. Civ. P.12(b) and sub-sections (3), (6) and (7) thereof, or otherwise based upon the pendency of a previously commenced Florida state court action, is hereby extended through and including April 25, 2008;

(2) In order for the parties to attempt a resolution of the various claims between them, plaintiff and defendant will not prosecute their claims in this case or take any discovery or other action against each other with respect to the matters asserted in the Complaint during the period of the extension of time to answer, move or respond to the Complaint set forth in paragraph "1;"

(3) If plaintiff and defendant fail to resolve the various claims between them with respect to the matters asserted in the Complaint by April 25, 2008, the time for

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defendant to answer, move or respond to the Complaint as forth in paragraph "1" shall  
be May 28, 2008;

(4) This Stipulation may be executed in separate counterparts, each of which,  
when taken together shall be deemed a single document;

(5) Facsimile or e-mailed scan signatures on this Stipulation shall be treated and  
effective as if original signatures; and

(6) This Stipulation may be filed with the Court to be "So-Ordered" without

03-19-2008 11:29am From:PRYOR CASHMAN LLP

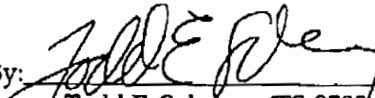
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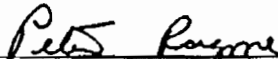
further notice by either party hereto after execution hereof.

Dated: New York, New York  
March 14, 2008


PRYOR CASHMAN LLP  
Attorneys for Plaintiff, East 29<sup>th</sup> Street LLC

By:   
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New York, NY 10005  
(212) 635-2244

*No further extensions of time will be granted.*  
SO ORDERED:

  
HONORABLE SHIRA SCHEINDLIN  
UNITED STATES DISTRICT JUDGE

*3/20/08*

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